

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 019957-015920US
INTERNATIONAL APPLICATION NOS. PCT/US2003/023155 and PCT/US2003/023057		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/521,138
INTERNATIONAL FILING DATE 07/23/2003		PRIORITY DATE CLAIMED 07/23/2002
TITLE OF INVENTION SYNTHESIS OF OLIGOSACCHARIDES, GLYCOLIPIDS, AND GLYCOPROTEINS USING BACTERIAL GLYCOSYLTRANSFERASES		
APPLICANT(S) FOR DO/EO/US Karl F. Johnson, Daniel James Bezila, Diane E. Taylor, Joanne Simala-Grant and David Rasko		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input checked="" type="checkbox"/> A substitute specification (clean version and marked-up version). 16. <input checked="" type="checkbox"/> Power of Attorney, Statement Under 37 CFR 3.73(b) and copy of Assignment documents for Neose Technologies, Inc., and the Governors of the University of Alberta 17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Express Mail No. EV 566968487 US, Return Receipt Postcard, Response to Notification of Missing Parts; Copy of Notification of Missing Parts Under 35 USC 371 (DO/EO/US), Request for Refund and copy of Transmittal Letter mailed 01/11/2005; Communication Under 37 CFR 1.821-1.825 and Preliminary Amendment		

DEC 2005

PTO-1390 (Rev. 07-2005)

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/521,138		INTERNATIONAL APPLICATION NOS. PCT/US2003/023155 and PCT/US2003/023057		ATTORNEY'S DOCKET NUMBER 019957-015920US	
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)) \$300				\$	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))					
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$	
All other situations \$200					
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))					
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400				\$	
All other situations \$500					
TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ 130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x \$ 50	\$	
Independent claims	- 3 =		x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$ 65	
SUBTOTAL =				\$ 65	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$ 60	
				Amount to be refunded:	\$ 1,510
				Amount to be charged:	\$ 65

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 20-1430 in the amount of \$ 60 to cover the above fees. Please refund my Deposit Account No. 20-1430 in the amount of \$1,510 as the applicant is a small entity. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-1430. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Beth L. Kelly
TOWNSEND AND TOWNSEND AND CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834


SIGNATURE

Beth L. Kelly
NAME

51,868
REGISTRATION NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 019957-015920US
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) To be assigned
INTERNATIONAL APPLICATION NO. PCT/US2003/023155	INTERNATIONAL FILING DATE July 23, 2002	PRIORITY DATE CLAIMED July 23, 2002
TITLE OF INVENTION SYNTHESIS OF OLIGOSACCHARIDES, GLYCOLIPIDS, AND GLYCOPROTEINS USING BACTERIAL GLYCOSYLTRANSFERASES		
APPLICANT(S) FOR DO/EO/US JOHNSON, Karl, F.; BEZILA, Daniel, James; SIMALA-GRANT, Joanne; TAYLOR, Diane; RASKO, David		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau) b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included:		

EV383386225US

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

1. From the PCT/US2003/023155 File:

Publication WO 2004/009793 A2; Form PCT/IPEA/408 (Written Opinion); Form PCT/IB/332 (PCT Information Concerning Elected Offices Notified of Their Election); WO 2004/009793 A3 (International Search Report); PCT/IPEA/402 (Notification of Receipt of Demand); Transmittal and Form PCT/IPEA/401 (Chapter II Demand) with Article 34 Amendment; Substitute Pages 5, 5a, 6, 6a, 13, 34 and 40; Form PCT/IB/371 (Notification Relating to Declaration); Form PCT/IB/304 (Notification Concerning Submission of Transmittal of Priority Document); Form PCT/IB/301 (Notification of Receipt of Record Copy); Form PCT/IB/370 (Invitation to Correct Declaration); Transmittal and Response to Invitation to Correct Defects; Form PCT/RO/106 (Invitation To Correct Defects).

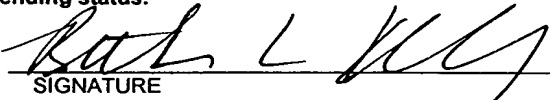
2. Amended Claim Set

3. From the PCT/US2003/023057 File:

Publication WO 2004/009838 A2; Form PCT/IB/306 (Notification of the Recording of a Change); Correspondence of Sept 30, 2004 reporting nationality of added inventors; Form PCT/IB/345 (Communication For Which No Other Form Is Applicable); Form PCT/IB/306 (Notification of the Recording of a Change); Transmittal and Form PCT/IPEA/401 (Chapter II Demand) with Article 34 Amendment; Substitute Pages 4, 5, 5a, 12, 34, 36, 36a, 37; Transmittal for 92-bis Addition of Co-Applicants; Form PCT/IB/371 (Notification Relating to Declaration); Form PCT/IB/301 (Notification of Receipt of Record Copy); Form PCT/IB/304 (Notification Concerning Submission of Transmittal of Priority Document); Form PCT/IB/370 (Invitation to Correct Declaration); Transmittal and Response to Invitation to Correct Defects; Form PCT/RO/105 (Notification of International Application Number and of the International Filing Date); Form PCT/RO/106 (Invitation To Correct Defects).

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) T be assigned		INTERNATIONAL APPLICATION NO. PCT/US2003/023155		ATTORNEY'S DOCKET NUMBER 019957-015920US	
21. The following fees are submitted:				Applicant use	Office use only
<input checked="" type="checkbox"/> a) Basic national fee \$300.00				\$ 300.00	
<input type="checkbox"/> b) Examination fee \$200.00				\$	
<input type="checkbox"/> c) Search fee \$500.00				\$	
TOTAL OF ABOVE CALCULATIONS = \$1000.00				\$ 300.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	44 - 20 =	24	x \$50.00	\$ 1,200	
Independent claims	7 - 3 =	4	x \$200.00	\$ 800	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			2	+ \$360.00	\$ 720
TOTAL OF ABOVE CALCULATIONS =				\$ 2,720	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$ 3,020	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 3,020	
Amount to be refunded:					\$
Amount to be charged:					\$ 3,020
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>20-1430</u> in the amount of \$ 3,020 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>20-1430</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p>					
SEND ALL CORRESPONDENCE TO:					
Beth L. Kelly TOWNSEND AND TOWNSEND AND CREW LLP Two Embarcadero Center, 8th Floor San Francisco, CA 94111-3834 UNITED STATES OF AMERICA Ph.: (415) 576-0200 Fax: (415) 576-0300			 SIGNATURE Beth L. Kelly NAME January 11, 2005 DATE 51,868 REGISTRATION NUMBER		

"Express Mail" Label No. EV566968487US

Date of Deposit December 6, 2005

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By: 

Anna C. Kundel

06 DEC 2005
PATENT
Attorney Docket No.: 019957-015920US
Client Reference No.: NEO00199

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Karl F. Johnson, et al.

Application No.: 10/521,138

International Filing Date: 07/23/2002

International Application Nos:
PCT/US2003/023155
PCT/US2003/023057

For: SYNTHESIS OF OLIGOSACCHARIDES,
GLYCOLIPIDS, AND GLYCOPROTEINS
USING BACTERIAL
GLYCOSYLTRANSFERASES

Customer No.: 20350

Confirmation No.: 6771

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

TRANSMITTAL LETTER –
RESPONSE TO NOTIFICATION OF
MISSING REQUIREMENTS UNDER 35
U.S.C. 371 (DO/EO/US)

Attn: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Notification of Missing Requirements Under 35 U.S.C. 371, dated October 6, 2005, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration and ADS
- 2) Power of Attorney, Certificate of Assignee Under 37 C.F.R. § 3.73(b) and copy of Assignment for Neose Technologies, Inc.

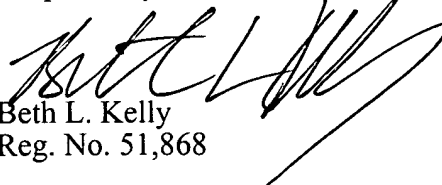
- 3) Verified Statement Claiming Small Entity Status
- 4) Request for Refund of Large Entity Filing Fee
- 5) Substitute Specification (Clean-Copy and Marked-Up Version). The substitute specification contains no new matter. More specifically, the specification has been amended to update the cross-references to related applications. In addition, amendments have been made to the specification to add sequence identifiers (SEQ ID NO:) in the appropriate position of the Specification in compliance with C.F.R. §§ 1.821-1.825, which was made in the parent application.
- 6)
- 7) Communication Under 37 CFR 1.821-1.825 and Preliminary Amendment with Sequence Listing (paper copy and CRF)
- 8) Copy of Notice of Missing Parts

Please charge Deposit Account No. 20-1430 for the following fees:

Small Entity:	(a) Missing Parts Surcharge	\$65
TOTAL FEES TO BE CHARGED		\$65

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in duplicate.

Respectfully submitted,


Beth L. Kelly
Reg. No. 51,868

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415 576-0300
BLK:ack

"Express Mail" Label No. EV566968487US

Date of Deposit: December 6, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TOWNSEND and TOWNSEND and CREW LLP

By: 

Anna C. Kundel

PATENT

Docket No.: 019957-015920US

Client Ref. No.: NEO00199

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Karl F. JOHNSON, et al.

Int'l Appln. No.: PCT/US2003/023155 and
PCT/US2003/023057

Int'l Filing Date: July 23, 2003

U.S. Application No.: 10/521,138

For: SYNTHESIS OF OLIGOSACCHARIDES,
GLYCOLIPIDS, AND GLYCOPROTEINS
USING BACTERIAL
GLYCOSYLTRANSFERASES

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

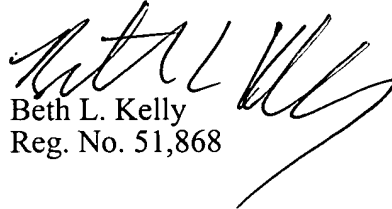
On March 14, 2005, applicant paid the large entity national filing fee of \$3,020.00 as is evidenced by a copy of the Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C 371, which authorizes \$3,020.00 to be charged to the Deposit Account.

The above-identified US National Phase application inadvertently did not claim small entity status, although Applicants were entitled to it. It has recently been discovered that such small entity status failed to be established in error due to inadvertence and without deceptive intent. Therefore, Applicants respectfully request the refund payment be processed and that the error be excused.

Applicants hereby authorize the Commissioner to credit half the fee in the amount of \$1,510.00 to the undersigned's Deposit Account No. 20-1430. A copy of this document is enclosed.

If the Examiner believes a telephone conference would expedite the granting of the requested credit, please telephone the undersigned at 415.576.0200.

Respectfully submitted,


Beth L. Kelly
Reg. No. 51,868

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
BLK/ack



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/521,138

FIRST NAMED APPLICANT

Karl F Johnson

ATTY. DOCKET NO.

019957-015920US

INTERNATIONAL APPLICATION NO.

PCT/US03/23155

I.A. FILING DATE

07/23/2002

PRIORITY DATE

20350

TOWNSEND AND TOWNSEND AND CREW, LLP
 TWO EMBARCADERO CENTER
 EIGHTH FLOOR
 SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 6771

371 FORMALITIES LETTER

OC000000017045440

Response Due 12/06/05

Date Mailed: 10/06/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/12/2005
- Copy of the International Search Report filed on 01/12/2005
- Preliminary Amendments filed on 01/12/2005
- Request for Immediate Examination filed on 01/12/2005
- U.S. Basic National Fees filed on 01/12/2005
- Priority Documents filed on 01/12/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

AMC

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
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